

Calendar No. 453

106TH CONGRESS
2D SESSION

H. R. 834

[Report No. 106-237]

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 22, 1999

Received; read twice and referred to the Committee on Energy and Natural
Resources

MARCH 9, 2000

Reported by Mr. MURKOWSKI, with an amendment and an amendment to the
title

[Strike out all after the enacting clause and insert the part printed in *italic*]

AN ACT

To extend the authorization for the National Historic
Preservation Fund, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. AMENDMENT OF NATIONAL HISTORIC PRESER-**
4 **VATION ACT.**

5 The National Historic Preservation Act (16 U.S.C.
6 470 and following; Public Law 89-665) is amended as fol-
7 lows:

1 (1) Section 101(e)(2) (16 U.S.C. 470a(e)(2)) is
2 amended to read as follows:

3 ~~“(2) The Secretary may administer grants to the Na-~~
4 ~~tional Trust for Historic Preservation in the United~~
5 ~~States, chartered by an Act of Congress approved October~~
6 ~~26, 1949 (63 Stat. 947), consistent with the purposes of~~
7 ~~its charter and this Act.”.~~

8 (2) Section 102 (16 U.S.C. 470b) is amended
9 by redesignating subsection (e) as subsection (f) and
10 by redesignating subsection (d), as added by section
11 4009(3) of Public Law 102–575, as subsection (e).

12 (3) Section 107 (16 U.S.C. 470g) is amended
13 to read as follows:

14 ~~“SEC. 107. Nothing in this Act shall be construed~~
15 ~~to be applicable to the White House and its grounds, the~~
16 ~~Supreme Court building and its grounds, or the United~~
17 ~~States Capitol and its related buildings and grounds. For~~
18 ~~the purposes of this Act, the exemption for the United~~
19 ~~States Captiol and its related buildings and grounds shall~~
20 ~~apply to those areas depicted within the properly shaded~~
21 ~~areas on the map titled ‘Map Showing Properties Under~~
22 ~~the Jurisdiction of the Architect of the Captiol,’ and dated~~
23 ~~November 6, 1996, which shall be on file in the office of~~
24 ~~the Secretary of the Interior.”.~~

1 (4) Section 108 (16 U.S.C. 470h) is amended
2 by striking “1997” and inserting “2005”.

3 (5) Section 110(a) (16 U.S.C. 470h-2(a)) is
4 amended as follows:

5 (A) In paragraph (1) by deleting the sec-
6 ond sentence.

7 (B) In paragraph (2)(D) by deleting “and”
8 at the end thereof.

9 (C) In paragraph (2)(E) by striking the
10 period at the end thereof and inserting “; and”.

11 (D) By adding at the end of paragraph (2)
12 the following new subparagraph:

13 “(F)(i) When operationally appropriate and
14 economically prudent, when locating Federal facili-
15 ties, Federal agencies shall give first consideration
16 to—

17 “(I) historic properties within historic dis-
18 tricts in central business areas; if no such prop-
19 erty is suitable; then

20 “(II) other developed or undeveloped sites
21 within historic districts in central business
22 areas; then

23 “(III) historic properties outside of historic
24 districts in central business areas; if no suitable
25 site within a historic district exists;

1 “(IV) if no suitable historic properties
2 exist in central business areas, Federal agencies
3 shall next consider other suitable property in
4 central business areas;

5 “(V) if no such property is suitable, Fed-
6 eral agencies shall next consider the following
7 properties outside central business areas;

8 “(VI) historic properties within historic
9 districts; if no such property is suitable; then

10 “(VII) other developed or undeveloped sites
11 within historic districts; then

12 “(VIII) historic properties outside of his-
13 toric districts; if no suitable site within a his-
14 toric district exists.

15 “(ii) Any rehabilitation or construction that is
16 undertaken affecting historic properties must be
17 architecturally compatible with the character of the
18 surrounding historic district or properties.

19 “(iii) As used in this subparagraph:

20 “(I) The term ‘central business area’
21 means centralized community business areas
22 and adjacent areas of similar character, includ-
23 ing other specific areas which may be rec-
24 ommended by local officials.

1 “(II) The term ‘Federal facility’ means a
2 building, or part thereof, or other real property
3 or interests therein, owned or leased by the
4 Federal Government.

5 “(III) The term ‘first consideration’ means
6 a preference. When acquiring property, first
7 consideration means a price or technical evalua-
8 tion preference.”.

9 (6) The first sentence of section 110(l) (16
10 U.S.C. 470h-2(l)) is amended by striking “with the
11 Council” and inserting “pursuant to regulations
12 issued by the Council”.

13 (7) The last sentence of section 212(a) (16
14 U.S.C. 470t(a)) is amended by striking “2000” and
15 inserting “2005”.

16 **SECTION 1. SHORT TITLE.**

17 *This Act may be cited as the “National Historic Pres-*
18 *ervation Act Amendments of 1999”.*

19 **SEC. 2. REAUTHORIZATION OF HISTORIC PRESERVATION**
20 **FUND.**

21 *Section 108 of the National Historic Preservation Act*
22 *(16 U.S.C. 470h) is amended by striking “1997” and insert-*
23 *ing “2005”.*

1 **SEC. 3. REAUTHORIZATION OF ADVISORY COUNCIL ON HIS-**
 2 **TORIC PRESERVATION.**

3 *Section 212(a) of the National Historic Preservation*
 4 *Act (16 U.S.C. 470t(a)) is amended by striking “2000” and*
 5 *inserting “2005”.*

6 **SEC. 4. LOCATION OF FEDERAL FACILITIES ON HISTORIC**
 7 **PROPERTIES.**

8 *Section 110(a)(1) of the National Historic Preserva-*
 9 *tion Act (16 U.S.C. 470h–2(a)(1)) is amended in the second*
 10 *sentence by striking “agency.” and inserting “agency, in*
 11 *accordance with Executive Order 13006, issued May 21,*
 12 *1996 (61 F.R. 26071).”.*

13 **SEC. 5. TECHNICAL AND CONFORMING AMENDMENTS.**

14 *(a) The National Historic Preservation Act (16 U.S.C.*
 15 *470 et seq.) is amended as follows—*

16 *(1) in section 101(d)(2)(D)(ii) (16 U.S.C.*
 17 *470a(d)(2)(D)(ii)) by striking “Officer;” and insert-*
 18 *ing “Officer; and”;*

19 *(2) by amending section 101(e)(2) (16 U.S.C.*
 20 *470a(e)(2)) to read as follows:*

21 *“(2) The Secretary may administer grants to the*
 22 *National Trust for Historic Preservation in the*
 23 *United States, chartered by an Act of Congress ap-*
 24 *proved October 26, 1949 (63 Stat. 947) consistent*
 25 *with the purposes of its charter and this Act.”;*

1 (3) in section 101(e)(3)(A)(iii) (16 U.S.C.
2 470a(e)(3)(A)(iii)) by striking “preservation; and”
3 and inserting “preservation, and”;

4 (4) in section 101(j)(2)(C) (16 U.S.C.
5 470a(j)(2)(C)) by striking “programs;” and inserting
6 “programs; and”;

7 (5) in section 102(a)(3) (16 U.S.C. 470b(a)(3))
8 by striking “year.” and inserting “year;”;

9 (6) in section 103(a) (16 U.S.C. 470c(a))—

10 (A) by striking “purposes this Act” and in-
11 serting “purposes of this Act”; and

12 (B) by striking “him.” and inserting
13 “him.”;

14 (7) in section 108 (16 U.S.C. 470h)) by striking
15 “(43 U.S.C. 338)” and inserting “(43 U.S.C. 1338)”;

16 (8) in section 110(1) (16 U.S.C. 470h–2(1)) by
17 striking “with the Council” and inserting “pursuant
18 to regulations issued by the Council”;

19 (9) in section 112(b)(3) (16 U.S.C. 470h–4(b)(3))
20 by striking “(25 U.S.C. 3001(3) and (9))” and insert-
21 ing “(25 U.S.C. 3001 (3) and (9)))”;

22 (10) in section 301(12)(C)(iii) (16 U.S.C.
23 470w(12)(C)(iii)) by striking “Officer, and” and in-
24 serting “Officer; and”;

1 (11) in section 307(a) (16 U.S.C. 470w–6(a)) by
 2 striking “Except as provided in subsection (b) of this
 3 section, no” and inserting “No”;

4 (12) in section 307(c) (16 U.S.C. 470w–6(c)) by
 5 striking “Except as provided in subsection (b) of this
 6 section, the” and inserting “The”;

7 (13) in section 307 (16 U.S.C. 470w–6) by redес-
 8 ignating subsections (c) through (f), as amended, as
 9 subsections (b) through (e), respectively; and

10 (14) in subsection 404(c)(2) (16 U.S.C. 470x–
 11 3(c)(2)) by striking “organizations, and” and insert-
 12 ing “organizations; and”.

13 (b) Section 114 of Public Law 96–199 (94 Stat. 71)
 14 is amended by striking “subsection 6(c)” and inserting
 15 “subsection 206(c)”.

Amend the title so as to read: “A bill to extend the
 authorization for the Historic Preservation Fund and the
 Advisory Council on Historic Preservation, and for other
 purposes.”.

Passed the House of Representatives September 21,
 1999.

Attest:

JEFF TRANDAHL,

Clerk.

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